

DOCKET NO. _____ : SUPERIOR COURT

(LANDLORD/PLAINTIFF) : HOUSING SESSION
v : AT _____

(TENANT/DEFENDANT) : (DATE)

APPLICATION FOR EX PARTE TEMPORARY INJUNCTION

Pursuant to C.G.S. ' 52-471 et seq., the defendant/tenant _____
_____ in this summary process action asks this court to prohibit the
plaintiff from executing upon the judgment until the court hears and decides the
accompanying Motion to Quash Execution/Motion to Open Judgment or until further
order of the court, and in support of this Application states the following:

1. The defendant has been notified that he/she/they will be evicted from his/her/
their home by the plaintiff's agent on or after _____.
(Date and Time of Eviction)

2. For the following reasons, unless the requested relief is granted, the defendant
will suffer irreparable harm for which there is no adequate remedy at law.

[check all that are true]

- ☐ The defendant has no other safe, adequate, and affordable place to live,
and/or cannot move before the date set for eviction.

- The defendant suffers from a disability that makes it difficult to locate replacement housing.
- The defendant lives in government-subsidized housing and may lose the subsidy if evicted.
- The health of the defendant or a member of the defendant's family would be in danger if forced to move. In particular:
_____.
- [Other] _____.

3. If the defendant failed to appear at a court hearing, the reason was _____

_____.

THE DEFENDANT,

Signature of Tenant

Applicant Name

Street Address

City, State and Zip Code

Telephone

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(TENANT/DEFENDANT) : _____
(DATE)

TEMPORARY INJUNCTION AND HEARING NOTICE

The foregoing Application for Ex Parte Temporary Injunction, having been heard and it appearing that irreparable harm would result to the defendant unless the requested relief is granted before the matter can be heard on notice to the plaintiff, is hereby GRANTED, and it is hereby ORDERED that the plaintiff along with its employees, agents, and any other person acting under the direction or on behalf of the plaintiff, shall not evict the defendant _____ remove his/her/their
(Name of Tenant)
possessions, or in any way interfere with the use of enjoyment of the premises at _____
_____, Connecticut, until further order of this
(Address of Tenant)
court.

This Court will hold a hearing at _____ on the ____ day of _____,
200____, to consider whether this order should be continued and whether other orders
should issue as law and equity require.

Dated at _____, Connecticut, this ____ day of _____,
200__.

Judge

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(TENANT/DEFENDANT) : (DATE)

ORDER OF SERVICE OF TEMPORARY INJUNCTION

TO ANY PROPER OFFICER:

BY AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby
commanded to make due service by leaving a true and attested copy of the accompanying
Temporary Injunction with or at the usual place of abode of the plaintiff and due return
make.

Ordered at _____, Connecticut, this ____ day of _____,
200__.

BY THE COURT

Judge

DOCKET NO. _____ : SUPERIOR COURT

(LANDLORD/PLAINTIFF) : HOUSING SESSION
v. : AT _____

(TENANT/DEFENDANT) : (DATE)

MOTION TO QUASH EXECUTION (AUDITA QUERELA)

The defendant _____ hereby moves for an order
(*Name of Tenant*)
(in the nature of a writ of audita querela) to quash an execution issued upon the judgment
in this summary process action, and in support of this motion states the following:

1. The plaintiff has obtained a judgment against the defendant in this action and
an execution has been issued by the court.

2. For the following reasons, the plaintiff should not be allowed to evict the
defendant:

[Check all applicable reasons and write in any others]

- ☐ After the date of judgment, the parties made a new agreement that
allows the defendant to stay.
- ☐ After the date of judgment, the plaintiff accepted rent from the
defendant.
- ☐ The defendant is willing and able to pay all of the arrearage owed to the

plaintiff.

- Any violation of the rental agreement by the defendant has been or can be promptly remedied.
- The defendant lives in government-subsidized housing and may lose the subsidy if evicted.
- The defendant has no suitable place to live if evicted.
- Other _____
- [If judgment was by default for failure to appear/plead/appear at trial]

The defendant did not appear/plead/appear at trial because: _____

THE DEFENDANT,

Signature of Tenant

Applicant Name

Street Address

City, State and Zip Code

Telephone

ORDER

The foregoing Motion to Quash Execution, having been heard, is hereby GRANTED, and it is ORDERED that the execution issued upon the judgment in this action is hereby quashed and of no effect.

BY THE COURT

Judge

DOCKET NO. _____ : SUPERIOR COURT

(LANDLORD/PLAINTIFF) : HOUSING SESSION
v. : AT _____

(TENANT/DEFENDANT) : (DATE)

VERIFICATION

I, _____ being duly sworn, do hereby depose
(Name of Tenant)

And state that:

1. I am above the age of eighteen years and understand the obligation of an oath.
2. That I am the defendant in the above action.
3. I have read the facts contained in the foregoing Application, Motion to Quash Execution, and/or Motion to Open Judgment, and that these facts are true to the best of my knowledge and belief.

THE DEFENDANT,

Signature of Tenant

Subscribed and sworn before this _____ day of _____,
200_ at _____, Connecticut.

Clerk/Assistant Clerk/
Commissioner of the Superior Court

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_____ : HOUSING SESSION
(LANDLORD/PLAINTIFF)

v. : AT _____

_____ : _____
(TENANT/DEFENDANT) (DATE)

CERTIFICATION INTO COURT

The accompanying Application for Ex Parte Temporary Injunction made to me in the above-entitled action, and proceedings thereon, are hereby certified to the Court.

Practice Book.

Dated at _____, Connecticut, this ____ day _____,
of 20____.

BY THE COURT

Judge/Assistant Clerk

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(TENANT/DEFENDANT) : (DATE)

CERTIFICATION RE: NOTICE TO OPPOSING PARTY/COUNSEL

I hereby certify that at _____ o'clock, on _____, 20__.

☐ I notified _____
(name of landlord or landlord=s attorney)

of my intention to present this Application for Order to Enjoin Execution and requested their fax number.

☐ I attempted to notify _____
(name of landlord or landlord=s lawyer)

of my intention to present this Application for Order to Enjoin Execution but _____

(reason why attempt not successful).

☐ The landlord or landlord's attorney said the Application may/may not (circle one) be granted by agreement.

☐ The landlord or landlord's attorney said that he or she wants/does not want (circle one) to come to court to object in person to the Application.

☐ I presented a copy of this Application to the landlord/landlord=s attorney by fax.

☐ I was unable to present a copy of this Application to the landlord/landlord=s attorney because I could not find a fax number or they do not have a fax number.

THE DEFENDANT,

Signature of Tenant

Applicant Name

Street Address

City, State and Zip Code

Telephone

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MOTION FOR WAIVER OF BOND

The defendant in this action moves that the Court waive the posting of bond, as permitted by C.G.S. Sec. 52-472, for the following reasons:

1. The plaintiff will suffer no irreparable harm from the granting of the relief requested.
2. The defendant lacks the assets with which to post bond and will otherwise be unable to prosecute this writ, and will therefore be forced to suffer and endure irreparable harm.

THE DEFENDANT,

Signature of Tenant

Applicant Name

Street Address

City, State and Zip Code

Telephone

ORDER

The foregoing Motion having been considered by the Court, it is hereby

ORDERED: GRANTED/DENIED.

BY THE COURT,

JUDGE/CLERK/ASSISTANT CLERK

CERTIFICATION OF SERVICE OF MOTION

I hereby state that a copy of the foregoing was faxed this _____ day of _____,
200____ to all appearing parties or their counsel, including the following:

DEFENDANT

Signature of Tenant